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STANDING COMMITTEE ON PETITIONS

SUMMARY RECORD OF THE TWO HUNDRED AND ELEVENTH MEETING

Held at Headquarters, New York,
on Tuesday, 18 January 1955, at 11 a.m.

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(continued)

PRESENT:

<u>Chairman:</u>	Mr. TARAZI	Syria
<u>Members:</u>	Mr. MASSONET	Belgium
	Mr. MAX	France
	Mr. SINGH	India
	Mr. KARTSEV	Union of Soviet Socialist Republics
	Mr. CRAMER	United States of America
<u>Also present:</u>	Mr. BECQUEY	Special Representative of the Administering Authority for the Trust Territory of the Cameroons under French Administration
<u>Secretariat:</u>	Mr. RANKIN	Secretary of the Committee

CONSIDERATION OF THE DRAFT EIGHTY-NINTH REPORT OF THE STANDING COMMITTEE ON PETITIONS (T/C.2/L.110)

The CHAIRMAN invited the Committee to examine the draft eighty-ninth report of the Standing Committee on Petitions (T/C.2/L.110).

There being no comments, he put the draft report to the vote.

The report was adopted by 3 votes to none, with 2 abstentions.

PETITIONS CONCERNING THE TRUST TERRITORY OF THE CAMEROONS UNDER FRENCH ADMINISTRATION (T/C.2/L.121, T/C.2/L.124; T/PET.5/303, T/PET.5/308, T/PET.5/310 and Add.1, T/PET.5/318; T/OBS.5/42) (continued)

The CHAIRMAN invited the Committee to continue its examination of document T/C.2/L.121.

VI. Petition from Mr. Jacob Goumawa (T/PET.5/303)

The CHAIRMAN proposed that the Council should draw the petitioner's attention to the Administering Authority's observations and request the Secretary-General to transmit to the petitioner the text of the resolution to be adopted on the petitions summarized in section III of the working paper which dealt in detail with the case of Mr. Abel Kingue.

X. Petition from Mr. Samuel Ntchame Zo'o (T/PET.5/274 and Add.1-8)

After a lengthy exchange of views, the Committee decided to wait until the English and Russian texts of Addenda 9 and 10 were issued before determining how it should examine the petition.

The CHAIRMAN invited the Committee to examine document T/C.2/L.124.

I. Petitions from Mr. Paul Malapa (T/PET.5/308), the Vice-Chairman of the UPC (T/PET.5/310 and Add.1) and the Comité central of the UPC at New-Bell Nord (T/PET.5/318)

Mr. KARTSEV (Union of Soviet Socialist Republics) asked, in connexion with paragraph 3 of the summary, whether the petitioner might one day inherit land from his grandfather; he would also like further information on the activities referred to in the Administering Authority's observations (T/OBS.5/42).

Mr. BECQUEY (Special Representative) replied that, under customary law, children inherited a certain part of their parents' property. As an example of the petitioner's activities he mentioned the unscrupulous way in which the petitioner had treated an old man who had given him shelter and from whom he had obtained a lease. After the man's death, the petitioner had driven his wife and children from the house. Although there were no grounds in that case for legal proceedings, the local authorities had felt that the petitioner's behaviour did not justify an extension of his residence permit.

In reply to questions by Mr. SINGH (India), Mr. KARTSEV (Union of Soviet Socialist Republics), Mr. CRAMER (United States of America) and Mr. MASSONET (Belgium), Mr. BECQUEY (Special Representative) explained that French citizens and citizens of the French Union alike required a permit to enter the Cameroons; only nationals of the Cameroons could enter the Territory without a permit. That being so, the fact of acquiring French nationality would obviously not enable the petitioner to return to the Cameroons. He had been expelled from the Territory because of his previous record and his activities in the Cameroons, and not because of his nationality.

Mr. MASSONET (Belgium) proposed that the Council should draw the petitioner's attention to the Administering Authority's observations.

Mr. CRAMER (United States of America) supported that proposal.

Mr. KARTSEV (Union of Soviet Socialist Republics) drew the Committee's attention to the petitioner's position; he seemed to have been reduced to statelessness, which was contrary to his interests from both the moral and the practical point of view. He asked whether French nationality was not automatically conferred on Cameroonians living in France.

Mr. BECQUEY (Special Representative) said that Cameroonians could acquire French nationality by naturalization.

Mr. SINGH (India) asked what steps a Cameroonian born in Germany would have to take to acquire French nationality.

The CHAIRMAN asked whether the petitioner could not apply to the courts for recognition of his French nationality.

Mr. BECQUEY (Special Representative) replied that the petitioner could apply for naturalization if he so desired. His application would be granted if he was considered a suitable person. If his application was rejected, he could initiate proceedings with the appropriate judicial authorities for the recognition of his nationality.

The CHAIRMAN, speaking as the representative of Syria, proposed that the Council should inform the petitioner that he could appeal to the courts for recognition of his status as a citizen of the French Union, since he was of Cameroonian origin.

Mr. KARTSEV (Union of Soviet Socialist Republics) supported that proposal.

Mr. SINGH (India) noted that, according to the Special Representative, even if the petitioner was recognized as a citizen of the French Union, he would need a visa to enter the Territory. It was regrettable that a Cameroonian

(Mr. Singh, India)

could not return to the Cameroons whenever he desired. He asked for information on the nationality of children born abroad to Cameroonian parents; he would also like to know what was meant by the words "Cameroonian nationals", what was the legal status of a "Cameroonian national" and in what texts it was defined.

Mr. BECQUEY (Special Representative) said that France recognized children of Cameroonian parents born in French Territory as Cameroonian nationals. The children of Cameroonian parents born in another country involved a legal problem which had not hitherto arisen and for which no solution had yet been found.

Persons born in the Territory of parents who were natives of the Territory were considered Cameroonian nationals. Nevertheless the status of a national of the Territory of the Cameroons under French Administration was not a legal status: it had come about as the result of administrative action and constant use. The passport carried by Cameroonians was marked: "Persons administered under French Trusteeship from the Trust Territory of the Cameroons, citizens of the French Union"; such persons enjoyed the same privileges as French citizens and could enter France without a visa.

The CHAIRMAN reminded the Committee of article 127 of the Treaty of Versailles and asked on what grounds the Administering Authority based its current interpretation.

Mr. BECQUEY (Special Representative) pointed out that when the Germans had arrived in the Territory each inhabitant had belonged to a tribe. There had been no question of nationality. The inhabitants had subsequently become persons "administered" by the administering Power, which was bound by the Treaty of Versailles to ensure them "diplomatic protection". He had not received any precise instructions from his Government, but he did not think that it had as yet presented any bill on the status of the indigenous inhabitants, because it felt that the question could more appropriately be decided by the representative bodies to be set up in the Territory in the near future than by the French Parliament.

Mr. MASSONET (Belgium) proposed that the Committee should ask the Council to consider the general problem raised by the petition.

Mr. CRAMER (United States of America) and Mr. SINGH (India) supported that proposal and asked whether the Trusteeship Council had not already commented on the subject of nationality in the Cameroons under French Administration.

The CHAIRMAN said that it was not the Committee's business to make a legal study of the general question of nationality in the Trust Territories. He drew attention to the Special Representative's observations on the subject at the thirteenth session of the Trusteeship Council and to the conclusion adopted by the Council (A/2680, part II, chapter V, section II). He asked the Secretariat to take the views expressed during the meeting into account in preparing the draft report.

The meeting rose at 1 p.m.